



Town of Pelham

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July 25, 2019

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, District of Columbia 20554

RE: *RE: Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992, Third Report and Order - MB Docket No. 05-311*

Dear Ms. Dortch,

This letter is written to formally express our concerns with the Federal Communications Commission's ("FCC") proposed Third Report and Order ("Order") requiring Local Franchising Authorities ("LFA") to treat cable-related, in-kind contributions as franchise fees subject to the statutory five percent franchise fee cap, and regarding the LFA's ability to use its cable franchising authority to regulate the mixed-use network of an incumbent cable operator that is not a common carrier.

The Town of Pelham received support from Comcast, its cable provider, for operating a Public, Educational and Governmental (PEG) Access channel used for public video programming provided by the issuing authority. Although Pelham does not have the ability to broadcast PEG Access Programming to the residents in town, the quarterly franchise fees provided by the issuing authority are set aside for cable access related purchases. These cable access related purchases would not have been possible without funding from Comcast through the PEG Access support due to Pelham's tight budget and limited financial resources.

The loss of revenue caused by the Third Report and Order will force municipalities like Pelham to divert key resources away from core municipal and school resources harming our community and our local government.

We vehemently oppose this Third Report and Order and ask you to reconsider. We ask you to protect the public interest by maintaining the current franchise fee structure and honor the authority of cities and towns to control their public rights-of-way.

If any questions or further information is needed, please contact the Selectboard Administrative Assistant Susannah Carey at 413-253-7129 at any time.

Sincerely,

Karen Willard-Ribeiro, Chair

Alisa Pearson, Board of Selectmen

Bob Agolia, Vice-Clerk